



Ponderay Newsprint Company

422767 SR 20, Usk, WA 99180-9771
(509) 445-1511, FAX: (509) 445-1233

EQS0417_145

April 4, 2017

Mr. Deane Osterman
Executive Director, Kalispel Natural Resources
Attention: Air Quality Comments
P.O. Box 39
Usk, WA 99180-0039

**RE: Kalispel Indian Reservation Prevention of Significant Deterioration Program
Class I Redesignation Proposal**

Dear Mr. Osterman:

Ponderay Newsprint Company (PNC) appreciates the opportunity to comment on the Kalispel Tribe's proposal to redesignate the Kalispel Reservation as a Class I area under the Clean Air Act Prevention of Significant Deterioration program. PNC has always been, and continues to be, committed to protection of our air quality.

However, we do have concern over the impacts that would result from a Class I designation of the Kalispel Indian Reservation. PNC believes that this redesignation could limit our ability to modernize operations at the mill and make manufacturing improvements, as well as limit the ability to attract other businesses to locate in Pend Oreille County. PNC urges the Tribe to consider these factors that the redesignation could have on PNC and the local community.

In addition, it is important to recognize that the PSD program is a technically complex and resource intensive regulatory scheme. Using the PSD program to protect tribal air quality would require a significant investment of tribal resources in consulting services and interaction with state and federal regulatory agencies. If the Reservation becomes a Class I area many interest groups other than the Tribe will acquire the ability to enforce the requirements of the program.

PNC believes that redesignation may not be necessary to achieve the Tribe's goals and would welcome the opportunity to meet with the Tribe to discuss optional means to achieve the Tribe's air quality protection goals without stifling growth in the region. If the Tribe is interested in pursuing this discussion please contact our environmental manager Laura Verity at 509-445-2304.

Sincerely,



Myron Johnson
Ponderay Newsprint General Manager

Cc: Maia Bellon, Washington Department of Ecology, Director
Grant Pfeifer, Washington Department of Ecology, Eastern Region Office, Director
Karen Skogg, Pend Oreille County Commissioner, Board Chair
Steve Kiss, Pend Oreille County Commissioner
Mike Manus, Pend Oreille County Commissioner
Greg Snow, Pend Oreille County Director of Community Development
Gregg Dohrn, Pend Oreille County Community Development Consultant
Rhonda Cary, Pend Oreille County Clerk of the Board

Mark Brown
General Manager
Mark.brown@teck.com

Teck Washington Incorporated
Pend Oreille Operations
P.O. Box 7
1382 Pend Oreille Mine Road
Metaline Falls, WA USA 99153

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www.teck.com

Teck

April 6, 2017

Kalispel Tribe of Indians
Attn: Air Quality Comments
PO Box 39
Usk, WA 99180-0039

Re: Redesignation of Kalispel Indian Reservation to a Class 1 under the Clean Air Act's Prevention of Significant Deterioration Program

To Whom it May Concern,

I am pleased to be invited to provide comment on the literature provided: "Kalispell Indian Reservation Prevention of Significant Deterioration Program – Class 1 Redesignation Technical Report by Ridolfi Environmental, February 2017."

First of all, the benefits of clean air and management of major emission sources have touched and inarguably improved our lives since the Act was promulgated in 1977.

With respect to the Technical Report, I have three primary questions or concerns.

1. The area that is being considered for redesignation is not clearly spelled out. While I believe that the area being considered for redesignation is exclusively the area outlined in red on Figure 1 of the Report, the inclusion of "off reservation land" and "adjudicated lands" on the figure reduce the clarity of this redesignation zone. Given the geographic and proximal requirements of dispersion modelling, the exact boundaries of the area proposed for redesignation should be stated and shown clearly.
2. In the Power Consulting Incorporated report "Economic Impact of Redesignation of the Kalispel Indian Reservation as a Class 1 Area under the Clean Air Act's Prevention of Significant Deterioration Program", dated February 3, 2017, Figure 3 and Figure 17 show concentric circles up to 50 km from the reservation redesignation area. It is understood that PSD increment analysis is mandatory for all potential large projects (emitting more than 100 tons per year of criteria pollutants) within 100 km of the Class 1 area and is discretionary for those between 100 km and 300 km. The economic analysis and other considerations in both this and the Ridolfi report should provide a more thorough analysis of the impacts of seasonal wind direction and explicitly include the area out 100 km, and possibly further, from the proposed redesignation area. The actual area of potential impact from the proposed redesignation would extend into population centers of north

Idaho (Coeur d'Alene, Post Falls), Lincoln County, Ferry County, and possibly further. . It should be noted that the Ridolfi Report shows the 100 km boundary on Figure 15.

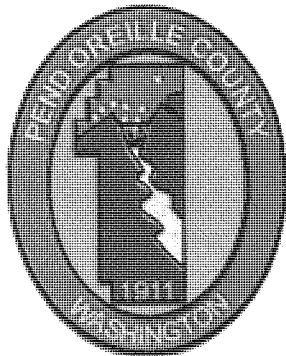
3. While we are encouraged that the findings of the studies suggest that redesignation is unlikely to limit economic development, we request that the public comment period be extended for 60 additional days to allow more time for agencies and businesses to predict potential economic impact. For example, there might be private business entities preparing permitting packages that have not yet contacted permitting agencies. Similarly, there might be business entities within 100 km of the redesignation area that are planning to expand their facilities, and would need additional time to evaluate potential emission increment increases and the resulting technology cost to meet PSD rules.

I appreciate the opportunity to provide these comments, and hope this commentary is seen as constructive. Should you have any questions please feel free to contact me at 509-446-4516.

Sincerely,



Mark J Brown
General Manager
Pend Oreille Operations



Pend Oreille County

Board of Commissioners

Karen Skoog
District #1

Mike Manus
District #2

Stephen Kiss
District #3

Rhonda Cary
Clerk of the Board

Phone: 509-447-4119

FAX: 509 447-0595

E-mail: commissionersoffice@pendoreille.org

PO Box 5025

Newport, WA 99156-5025

April 7, 2017

Kalispel Tribe of Indians
Attn: Air Quality Comments
PO Box 39
Usk, WA 99180-0039

RE: Class I Redesignation Request

Dear Chairman Nenema:

Thank you for sending us a copy of the Technical Report prepared in support of a potential application by the Tribe to have your Reservation designated as a Class I area in accordance with the provisions of the Clean Air Act. Pend Oreille County shares your interest in protecting the environment, including the quality of our air, and we are pleased to note in the report that we currently enjoy excellent air quality. We look forward to working with the Tribe in the future to continue our successful efforts. As a result, we are formally requesting a government to government consultation with the Tribe and the Washington State Department of Ecology (ECY) before you submit your redesignation request to the Environmental Protection Agency (EPA). While we have learned a lot in the short time since we were informed of your plans, we still have many questions, and we would like to meet in order to better understand your proposal and how it would be implemented. Given the Department of Ecology's shared interest in maintaining our air quality and their role in permitting future development proposals, we would hope that you would invite them to join in our discussions.

In preparation for our meeting, we have organized our questions and comments regarding the Technical Report into the following categories:

1. Socioeconomic Analysis
2. Air Quality Standards
3. Impacts on Existing Businesses and Operations
4. Implementation

Socioeconomic Analysis

In addition to the environmental health of our community, as elected leaders of all residents in the county, we are also extremely concerned about the economic health of our community. As a county government, we do not have the ability to acquire land or sponsor economic development projects in the Spokane urban area, and as result, we must rely on private investment in our county to generate the tax revenues necessary to maintain essential public services. Unfortunately, the Technical Report fails to address the perilous economic situation that the County faces. Simply stated, the current expense budget of Pend Oreille County is \$10,011,382 dollars a year, and our annual revenues are closer to \$9 million a year. Over the past four years the County's operating expenses have increased by over thirty percent and our tax revenues have increased by 2.05 percent. This is clearly not a sustainable situation and the County must actively attract new private investment if we are to sustain basic services.

In addition, we are concerned about the impression that the report included in Appendix B to the Technical Study, *The Economic Impact of Redesignation of the Kalispel Indian Reservation as a Class I Area under the Clean Air Act's Prevention of Significant Deterioration Program* (Power, 2017), gives the reader about the economic health of our community. Analyzing the economic impacts through the lens of a three county "Kalispel Reservation Economic Area" does not provide a clear picture of the economic conditions of Pend Oreille County. Spokane County, with nearly a half a million people and major urban center, is 37 times larger than Pend Oreille County, and as a result, the statistics from Spokane County completely dominate the picture when included with statistics from Pend Oreille County. Pend Oreille County is in fact one of the most economically distressed areas in the state with one of the highest unemployment rates and one of the lowest per capita income levels. Unfortunately, we have not experienced "significant economic vitality over the past 45 years" and real incomes in Pend Oreille County have not increased three-fold, jobs have not doubled, and the population has not increased by 80% as described in the Technical Report. In addition, it is important to note that the net labor earnings in 2014 of almost \$12.3 billion dollars, the investment income of \$4 billion, and the transfer payments of \$5 billion dollars that were cited in the report have nothing to do with Pend Oreille County. Furthermore, the assertion in the report that residents of Pend Oreille County can simply commute to Spokane County to work misses an important point, the concentration of jobs in Spokane County only exacerbates regional economic inequities, as it leads to a concentration of tax generating activities in Spokane County and a concentration of a public service demands in Pend Oreille County without the tax base to support it.

We respectfully request that an addendum to the report be added to the Tribe's application that specifically documents the economic conditions in Pend Oreille County, including the loss of timber jobs and the decline of the economic base of our community. We can provide more specific examples of how the Technical Report might give a reader a misimpression of the conditions in Pend Oreille County, and we'd welcome the opportunity to collaborate with the Tribe in preparing an appropriate addendum. Given that Tribal Vice Chair Ray Pierre is the Pend Oreille County Economic Development Council (EDC) Chair, another approach might be for the EDC to prepare the addendum for inclusion in the Tribe's application. Either way, the following link is an excellent source of information specifically about Pend Oreille County and the economic challenges that we face:

<https://esd.wa.gov/labormarketinfo/county-profiles/pend-oreille>

Air Quality Analysis

Air quality regulations are complex and can be very difficult to understand. While the Technical Report contains a lot of information, in order for us to fully assess the air quality benefits and impacts associated with the effects of a potential Class I redesignation, we respectfully request that the Technical Report be revised or an addendum prepared and included in the Tribe's application that addresses the following:

- The Technical Report does not assess the availability of potential Class I or current Class II increments in the region. How much of the current Class II increment has been used? If the Class I redesignation is approved, how much of the Class I increment has been used or has it already been consumed? Without an understanding of the baseline conditions (before a potential Class I redesignation), it is impossible to determine what impact the Class I redesignation may have on existing facilities or future development proposals.
- The US National Ambient Air Quality Standards (NAAQS) are standards established by the United States Environmental Protection Agency under authority of the Clean Air Act (42 U.S.C. 7401 et seq.) that apply for outdoor air throughout the country. The primary standards are designed to protect human health, with an adequate margin of safety, including sensitive populations such as children, the elderly, and individuals suffering from respiratory diseases. The technical report does not compare the available monitoring data for PM_{2.5} to the NAAQS. We request the report compare the current concentrations, future potential concentrations under the current Class II designation, and future potential concentrations under the proposed Class I redesignation to the applicable NAAQS.

- The report contains an evaluation of two hypothetical energy developments proposed for Deer Park, over 50 km away from the Reservation. A few examples of the same hypothetical energy developments located in Pend Oreille County would also be relevant and insightful and would not be overly burdensome to complete.
- The technical report does not quantitatively assess the effect Class I redesignation would have on the ability of a future development project to obtain the necessary air permits. It would be helpful to know where in Pend Oreille new development would least likely to exceed the Class I increments and where new development would be more likely to result in the Class I increments being exceeded. Screening-level, or refined, dispersion modeling of a few generic development projects in different locations/distances could help provide information on Class I increment consumption.

Impacts on Existing Businesses and Operations

We are particularly concerned about the impacts that the redesignation could have on existing businesses in the County, especially on new investment to modernize their facilities and to expand their operations. We are pleased to read in the Frequently Asked Questions document provided by the Tribe that the redesignation will have no effect on Ponderay Newsprint's current operations. It appears however, that the complexity of the regulations could create opportunities for unintended adverse consequences. We are also concerned about the implementation of the Class I requirements and potential impacts on the County's practice of using sand to maintain safe roads in the winter, the possible closure of unpaved roads to County residents, and restrictions on prescribed burning or other management practices intended to promote the health of our forests.

We respectfully request that the Technical Report be revised or amended to more clearly address:

- Plans to provide regulatory clarity and long-term certainty to heavily capitalized industries that form the economic foundation of the county such as Ponderay Newsprint and Vaagen Brothers.
- Documentation confirming that the Class I requirements will not adversely affect the operations of the Teck Mine in Metaline Falls.
- Whether the Class I redesignation has any direct impact on permits issued to minor sources or for minor modifications to existing major PSD sources?

Implementation

The proposed redesignation of the Reservation as a Class I Area will affect multiple governments, agencies, businesses, and other stakeholders. We believe a more detailed and comprehensive set of plans are needed in order for us to successfully implement and incorporate a new Class I Area. Clean air is a goal we share with the Tribe, but without more details on the proposed implementation, we are concerned that the potential negative effects of redesignation will overwhelm the potential positive effects.

We respectfully request that the Technical Report be revised or amended to more clearly address:

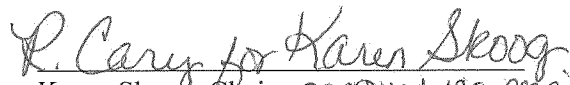
- Implementation: The Technical Report does not discuss how the Tribe will implement the Class I redesignation. Will Class I redesignation be through a Federal Implementation Plan (FIP) administered by the EPA or a Tribal Implementation Plan (TIP)? If Class I redesignation is through a FIP, how will that effect the administration of the Class I area and resolution of potential disagreements?
- Class I Boundary: The Technical Report contains maps of the Reservation and proposed Class I Area. It would be helpful if the Tribe would provide a more detailed map that clearly identifies of all lands that are, and are not, being proposed for Class I status. This would help reduce any uncertainty regarding which lands are proposed for Class I status.

- Coordination with Department of Ecology: The Technical Report does not include any discussions of how the Tribe would work with the Department of Ecology to implement Class I for the Reservation. Department of Ecology is responsible for implementing the Prevention of Significant Deterioration (PSD) program in Washington, of which Class I areas are a significant part. We believe it would be helpful for the Department of Ecology and the Tribe to define and outline in a collaborative manner the roles, responsibilities, process, guidance, and timelines necessary to implement, and assess impacts to, the new Class I Area. Otherwise, there could be significant delays and complications associated with issuing air permits.
- Tribal Resources and Expertise: The Kalispel Natural Resources Department (KNRD) is responsible for historic properties, fisheries, wildlife, water, and other natural resources. The KNRD has a very talented and dedicated staff. However, having Class I status for the Reservation will mean extra responsibilities and time commitments. We would like to have a better understanding of how the Tribe intends to meet these new responsibilities so we can determine how best to coordinate future permitting activities.
- Air Quality Related Values (AQRVs): The Tribe's Technical Report does not include a discussion of AQRVs and our conversations with the Department of Ecology indicate the Tribe does not intend to adopt AQRVs or develop Threshold Effect Levels (TELs) at this time. By not including a discussion of AQRVs or a statement that the Tribe does not intend to adopt AQRVs in the Technical Report, it creates a tremendous amount of uncertainty for existing and future potential facilities as well as permitting agencies. Inadequate implementation of Class I requirements, delayed permitting processes, and unclear compliance requirements are just some of the potential results of the AQRV uncertainty. We suggest that the Tribe's proposed redesignation submittal to EPA contains a statement that the Tribe does not intend to adopt AQRVs in the future or that the AQRVs are identified (and TELs defined) in the submittal. Otherwise, we request the Tribe describe a specific process, including proposed timelines, a process to ensure public and stakeholder input, and methods of dispute resolution for the establishment of future AQRVs (and TELs) in the EPA submittal

In closing, we would like to emphasize our intentions of meeting in good faith with the Tribe and in the ensuing government to government discussions of how best to achieve our mutual interests. We would also like to discuss with the Tribe strategies for making sure that residents and local governments that may be affected by the redesignation, have an opportunity to more fully understand and comment on the proposal. Please feel free to contact Commissioner Mike Manus at 509-671-1434 or our planning consultant Gregg Dohrn at greggdohrn@comcast.net or 206-679-7507 if you have any questions or to set up our meeting.

Sincerely,

PEND OREILLE COUNTY
BOARD OF COMMISSIONERS

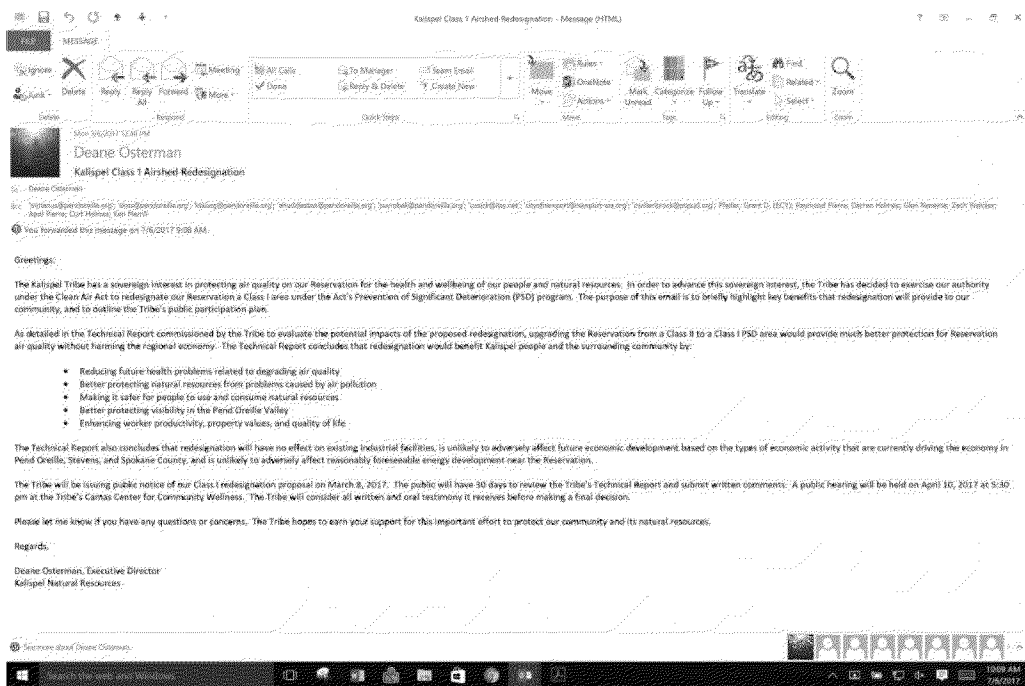

Karen Skoog, Chair - approved via email message


Stephen Kiss, Vice-Chair - approved telephonically


Mike Manus, Commissioner

To: Khatibi, Mehrdad[khatibi.mehrdad@epa.gov]
Cc: Ken Merrill[kmerrill@kalispeltribe.com]; Bray, Dave[Bray.Dave@epa.gov]
From: Zach Welcker
Sent: Thur 7/13/2017 5:31:31 PM
Subject: Supplemental Info 1
[04-10-2017 Public Hearing Transcript.pdf](#)
[Certification of Compliance with 40 CFR 51.102.pdf](#)
[Notice to Local Officials.jpg](#)
[Notice to State Officials.htm](#)
[Pend Oreille County profile Doug Tweedy.docx](#)

Attached



From: Deane Osterman
Sent: Thursday, July 06, 2017 9:09 AM
To: Zach Welcker
Subject: FW: Kalispel Class I Airshed Redesignation
Attachments: Class I Redesignation Notice and Invitation to Consult to WA.PDF

From: Deane Osterman
Sent: Monday, March 6, 2017 1:18 PM
To: 'Duff, Robert (GOV)'; Carpenter, Melissa (GOV); 'jt.austin@gov.wa.gov'; 'brian.bonlender@commerce.wa.gov'
Subject: Kalispel Class I Airshed Redesignation

All,

Please find attached the letter to Gov. Inslee sent today regarding the Kalispel Tribe of Indians' Class I Airshed Redesignation. Please do not hesitate to call if you have any questions.

Best Regards,

Deane Osterman, Executive Director
Kalispel Natural Resources
509.993.0879

To: Khatibi, Mehrdad[khatibi.mehrdad@epa.gov]
Cc: Ken Merrill[kmerrill@kalispeltribe.com]; Bray, Dave[Bray.Dave@epa.gov]; Deane Osterman[dosterman@kalispeltribe.com]
From: Zach Welcker
Sent: Thur 7/13/2017 5:30:05 PM
Subject: Response to June 29, 2017 EPA Letter RE Class I Redesignation Proposal of the Kalispel Tribe
13 July 2017 Response Letter to EPA RE Class I Redesignation Proposal.pdf

Mehrdad,

Please find attached a letter from Chairman Nenema responding to EPA's June 29, 2017 request for additional information regarding the Kalispel Tribe's proposal to redesignate the lands within the exterior boundaries of its original Reservation to a Class I area under the Clean Air Act's PSD Program. The original letter, along with a thumb drive containing the requested information, will be mailed to Ms. Pirzadeh later today.

I will also send the requested information in a series of emails to follow. Sorry for the inconvenience, but the files are too large to send in a single email.

Please let us know if you have additional questions.

Thanks,
Zach

Zach Welcker
Senior Policy Analyst
Kalispel Tribe of Indians
(509) 447-7448 (office)

Ex. 6

(cell)





Kalispel Tribe of Indians
P.O. Box 39
Usk, WA 99180

(509) 445-1147
(509) 445-1705 fax
www.kalispeltribe.com

July 13, 2017

Michelle Pirzadeh
Acting Administrator, Region 10
Environmental Protection Agency
1200 Sixth Avenue, Suite 900
Seattle, WA 98101

RE: Supplemental Information for EPA's Review of the Kalispel Tribe's Class I Redesignation Proposal

Dear Ms. Pirzadeh:

Thank you for your letter dated June 29, 2017 regarding the Kalispel Tribe's proposal to redesignate the lands within the exterior boundaries of our original Reservation to a Class I area under the Clean Air Act's Prevention of Significant Deterioration Program. For the record, the Tribe is requesting that EPA effectuate the redesignation by promulgating a revision to the current Federal Implementation Plan for the Kalispel Tribe of Indians codified in 40 C.F.R. Part 49. The Tribe does not intend to submit a Tribal Implementation Plan for EPA's approval.

The following documents are attached in response to your requests for information:

- A copy of the transcript of the April 10, 2017 public hearing regarding the Tribe's Class I redesignation proposal.
- A supplemental certification from Taylor S. Fielding, Staff Attorney for the Kalispel Tribe, that the Tribe complied with all requirements of 40 C.F.R. § 51.102(a) and (d) with respect to the public hearing on the Tribe's Class I redesignation proposal.
- Notifications to state and local governmental officials.
- Copies of written comments received by the Tribe in response to our Class I redesignation proposal.

Please also find attached an economic profile prepared for Pend Oreille County by a regional labor economist for reasons unrelated to the Tribe's Class I redesignation proposal. The County has asked us to include this profile as an addendum to our Technical Report in order to more specifically describe economic conditions in Pend Oreille County. The Tribe is willing to honor

this request as a courtesy to the County with the understanding that the Tribe did not solicit or perform the economic profile and does not necessarily agree with the analytical choices made therein. The Tribe also wishes to emphasize that the scope of the attached economic profile is too narrow for purposes of our Class I redesignation proposal, and that the Technical Report's existing regional economic analysis appropriately considers the data it contains. With this understanding, the Tribe requests that EPA include the economic profile as an addendum to our Technical Report.

Please contact Deane Osterman, Executive Director of the Kalispel Natural Resources Department, if you have any questions or need additional information. His phone number is (509) 447-7282.

Respectfully,

A handwritten signature in cursive script, appearing to read "Glen Nenema".

Glen Nenema
Chairman, Kalispel Business Council

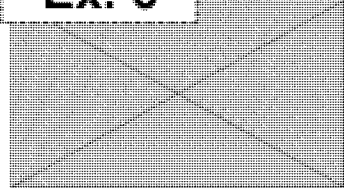
To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Mon 4/17/2017 8:06:23 PM
Subject: RE: Class I and concern for shutting down wood stoves, road sanding, burning brush,
removed.txt

That would be good. Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, April 17, 2017 12:52 PM
To: Ken Merrill
Cc: Khatibi, Mehrdad
Subject: RE: Class I and concern for shutting down wood stoves, road sanding, burning brush,

Hi Ken,

Yes, we can chat.

How does 1:30 work for you?

Dave

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Monday, April 17, 2017 12:24 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Class I and concern for shutting down wood stoves, road sanding, burning brush,

Hi David,
I would like to speak with you today if possible. We have many comments how Class I will stop everything like wood stove use, brush pile burning, and road sanding based on bad information distributed on Facebook by a local County official. I know how I would answer, but we are meeting with Tribal Leaders tomorrow and our Department needs to speak with absolute certainty.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Mon 4/17/2017 7:24:16 PM
Subject: Class I and concern for shutting down wood stoves, road sanding, burning brush,

Hi David,
I would like to speak with you today if possible. We have many comments how Class I will stop everything like wood stove use, brush pile burning, and road sanding based on bad information distributed on Facebook by a local County official. I know how I would answer, but we are meeting with Tribal Leaders tomorrow and our Department needs to speak with absolute certainty.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Sat 3/25/2017 8:00:25 PM
Subject: Kalispel draft FAQ for Class I redeg
FAQ Class I w-KM.docx

Hi David,
We are trying to help prevent some of the misinformation rhetoric we are hearing. Could you take a quick look at the attached FAQ and see if we might be misleading anyone in the FAQ. We are trying to send it to the County before Wednesday
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



Class I Redesignation of the Kalispel Indian Reservation Frequently Asked Questions

On March 8, 2017, the Kalispel Tribe of Indians issued public notice of its intent to redesignate the Kalispel Indian Reservation a Class I air quality area under the Clean Air Act. The Tribe is accepting public comments on the proposed redesignation until April 7, 2017 and will be receiving testimony at a public hearing at the Camas Center for Community Wellness on April 10, 2017. A Technical Report describing the potential effects of the proposed redesignation is available for public review at the Newport Public Library and on the web at <http://kalispeltribe.com/kalispel-natural-resources-department/overview>. The purpose of this FAQ is to address some of the preliminary questions the Tribe has received to date.

1. Why is the Tribe proposing to redesignate the Reservation a Class I area?

The Tribe wants to better protect our people and resources from problems caused by air pollution. The Reservation is the Tribe's only home, which makes Reservation residents particularly vulnerable to localized environmental pollution.

2. What gives the Tribe the right to redesignate its Reservation a Class I area?

The Clean Air Act, 42 U.S.C. § 7474, specifically authorizes states and federally recognized Indian tribes to redesignate their sovereign lands as Class I areas. A number of tribes have already redesignated their reservations as Class I areas.

3. Which Kalispel lands will the Class I redesignation include?

The redesignation will only apply to lands within the exterior boundaries of the Tribe's reservation near Usk, WA.

4. How will Class I redesignation better protect air quality on the Reservation?

The Reservation is currently part of a Class II area under the Clean Air Act's Prevention of Significant Deterioration (PSD) program. This designation moderately protects Reservation air quality from being degraded up to the level allowed by National Ambient Air Quality Standards. Class I redesignation will provide significantly more protection than Class II status.

5. Are there other Class I areas in Washington?

Washington has nine Class I areas including five wilderness areas, three national parks, and one Indian reservation.

6. What types of pollutants are regulated by the PSD program?

The PSD program currently regulates 3 pollutants: sulfur dioxide, nitrogen dioxide, and particulate matter.

7. What types of facilities are regulated by the PSD program?

The PSD program regulates large industrial facilities such as steel mills and petroleum refineries. The Department of Ecology maintains a list of all PSD-permitted facilities in Washington at http://www.ecy.wa.gov/programs/air/psd/psd_permits.htm.

8. How will Class I redesignation affect existing industrial facilities?

Class I redesignation will only affect an existing industrial facility if it is a major stationary source and makes a major physical or operational change resulting in a significant increase in air pollution. Class I redesignation will have no effect on Ponderay Newsprint's current operations.

9. How will Class I redesignation affect new industrial development?

Class I redesignation will have no effect on new industrial development unless a facility emits or has the potential to emit enough of a PSD-regulated air pollutant to trigger PSD review. If a facility meets this threshold, it will go through the same review process that is already required because of the area's Class II designation. The primary difference due to the redesignation is that the new facility may have to install better pollution-reduction technology to meet Class I pollution standards. If a new industrial facility cannot meet Class I pollution standards on the Reservation, it would have to relocate farther away.

10. What can be done to offset any lost economic opportunities due to redesignation?

A proactive planning effort by Pend Oreille County, the Tribe, and other community leaders can help identify and attract the types of development that provide good jobs without harming our natural resources and way of life.

11. What are the likely economic effects of Class I redesignation?

Based on the economic analysis in the Tribe's Technical Report, Class I redesignation will likely have a neutral to positive economic effect on the Reservation and surrounding area. Class I redesignation will have no effect on the types of economic activity that are currently driving the local economy and will help protect the environmental values that attract outside income to Pend Oreille County.

12. What are the likely benefits of Class I redesignation?

The Technical Report concludes that Class I redesignation will benefit the Kalispel people and the surrounding community by reducing health problems related to deteriorating air quality, better protecting our use and consumption of natural resources, preserving visibility in the Pend Oreille Valley, and enhancing worker productivity, property values, and quality of life.

For more information, visit: <https://www.epa.gov/nsr/prevention-significant-deterioration-basic-information>; http://www.ecy.wa.gov/programs/air/psd/PSD_Info_Site.html

To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Thur 3/23/2017 9:06:52 PM
Subject: Air redesignation and fact sheets

Hi David,
Could you please call at your earliest convenience.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Khatibi, Mehrdad[khatibi.mehrdad@epa.gov]
Cc: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Wed 3/15/2017 7:58:32 PM
Subject: RE: Kalispel Class 1 Redesignation Public Notice
removed.txt

Hi Mehrdad,

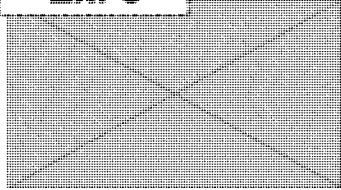
There is concern about generating too much publicity over the Class 1 redesignation, and for now, we would just as soon leave it out of the tribal newsletter for awhile.

Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Khatibi, Mehrdad [mailto:khatibi.mehrdad@epa.gov]
Sent: Monday, March 13, 2017 11:49 AM
To: Ken Merrill
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Ken,

Sure, we can add that about Spokane. I think it might be helpful to add some language as to why the tribe is seeking the redesignation. Can you put that together?

Found out that our internal deadline for the newsletter is March 20th.

Thanks
Mehrdad

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Monday, March 13, 2017 11:44 AM
To: Khatibi, Mehrdad <khatibi.mehrdad@epa.gov>
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Looks good to me except I would also add that the Spokane Tribe has previously designated their reservation to a Class 1 area back in the late 1980's. --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Khatibi, Mehrdad [mailto:khatibi.mehrdad@epa.gov]
Sent: Monday, March 13, 2017 9:53 AM
To: Ken Merrill

Subject: RE: Kalispel Class 1 Redesignation Public Notice

Hi Ken,

Dave Bray wrote up the following to inform the EPA OAW staff about the Class I redesignation work you all are doing. I thought bits and pieces might be helpful for the R10 Tribal newsletter article. Feel free to use whatever you think might be helpful.

Thanks,
Mehrddad

Redesignation of the Kalispel Indian Reservation to PSD Class I: The Kalispel Indian Tribe has officially begun the process of redesignating their Reservation to Class I under the Prevention of Significant Deterioration (PSD) provisions of the Clean Air Act. The Tribe has prepared a Technical Report that discusses the reasons for the proposed redesignation, including a description and analysis of the health, environmental, economic, social and energy effects of the proposed redesignation. The Tribe has opened a 30-day public comment period (ending April 7, 2017) on the proposed redesignation and on the Technical Report. The Tribe will also be consulting with the State of Washington.

The PSD provisions of the Clean Air Act require States to ensure that areas with clean air do not deteriorate more than set amounts – called Class I, II, and III increments. Congress designated certain nationally significant areas (primarily National Parks and Wilderness Areas) as Class I, which allows for only a small amount of deterioration – all other areas were initially designated as Class II, which allows a modicum of deterioration. The Act allows States and Indian Tribes to redesignate Class II areas to either Class I or Class III to reflect the amount of deterioration consistent with the air quality objectives for their areas.

If the Tribal Council adopts the redesignation, the Tribe will submit a formal proposal to the EPA to reclassify the Reservation pursuant to section 164 of the Clean Air Act and the provisions of 40 CFR 2 52.21(g). The EPA will then have 90 days to approve or disapprove the proposed redesignation. Importantly, the EPA shall disapprove a proposed redesignation of any area only if it finds, after notice and opportunity for public hearing, that such redesignation does not meet the procedural requirements of EPA's rule. Contact: David Bray, x3-4253.

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]
Sent: Friday, March 10, 2017 11:03 AM
To: Khatibi, Mehrddad <khatibi.mehrdad@epa.gov>
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Yes I think we can come up with something --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 cell)



From: Khatibi, Mehrddad [<mailto:khatibi.mehrdad@epa.gov>]
Sent: Thursday, March 09, 2017 4:59 PM
To: Ken Merrill
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Hi Ken,

Congrats of getting to this point! Okay if I work with you to get an announcement out in the April edition of the Region 10 Tribal Newsletter?

Thanks,
Mehrddad

ED_002139_00004968-00002

Mehrdad Khatibi
Tribal Air Lead
Tribal Programs, Diesel, and Indoor Air Unit
Office of Air and Waste
U.S. Environmental Protection Agency, Region 10

Ph: (206) 553-1603
Khatibi.Mehrdad@epa.gov

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]
Sent: Wednesday, March 8, 2017 12:06 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Mckelvey, Laura <Mckelvey.Laura@epa.gov>; Khatibi, Mehrdad <khatibi.mehrdad@epa.gov>; Christopher J Lee <Christopher.Lee@nau.edu>; natalene.cummings@fcpotawatomi-nsn.gov
Subject: Kalispel Class 1 Redesignation Public Notice

Now out of the bag. Thanks for the training and guidance. --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Wed 3/8/2017 10:54:40 PM
Subject: RE: Kalispel Class 1 Redesignation Public Notice

OK. Thanks

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Wednesday, March 08, 2017 2:23 PM
To: Ken Merrill
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Hi Ken.

Actually, yes, PSD increments can be impacted by emissions from prescribed silvicultural burning. After the minor source baseline date for a pollutant is triggered, all man-made emissions increases consume increment. But there is no burn-by-burn PSD increment review because prescribed burns are not major stationary sources subject to PSD permits.

While increases in prescribed burning emissions after the minor source baseline date can consume some increment, the amount of increment consumed will be minimal, primarily because fires are temporary and the location of burning is constantly changing. The only scenario where increment consumption could be an issue would be where increased prescribed burning constantly impacts the same downwind locations. We've never seen such a situation in any State, even those where burning on National Forest lands near the current Class I areas (National Parks and National Wilderness Areas) has increased.

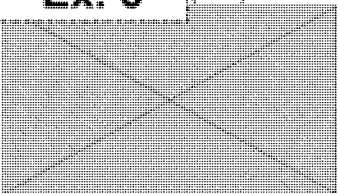
Dave

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Wednesday, March 08, 2017 2:10 PMi
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Hi David,
Is there any scenario where the Class 1 area designation could impact prescribed silvicultural burning? I think not but wanted some confirmation.
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Wednesday, March 08, 2017 12:15 PM

To: Ken Merrill
Cc: Mckelvey, Laura; Khatibi, Mehrdad; Christopher J Lee; natalene.cummings@fcpotawatomi-nsn.gov
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Hi Ken,

Thanks for letting us know.

And as always, feel free to contact me if any questions arise as you move through the procedural steps of the reclassification process.

Dave

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]
Sent: Wednesday, March 08, 2017 12:06 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Mckelvey, Laura <Mckelvey.Laura@epa.gov>; Khatibi, Mehrdad <khatibi.mehrdad@epa.gov>; Christopher J Lee <Christopher.Lee@nau.edu>; natalene.cummings@fcpotawatomi-nsn.gov
Subject: Kalispel Class 1 Redesignation Public Notice

Now out of the bag. Thanks for the training and guidance. --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

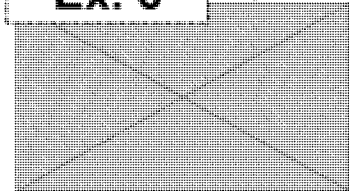
(cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Wed 3/8/2017 10:09:58 PM
Subject: RE: Kalispel Class 1 Redesignation Public Notice
removed.txt

Hi David,
Is there any scenario where the Class 1 area designation could impact prescribed silvicultural burning? I think not but wanted some confirmation.
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)
Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Wednesday, March 08, 2017 12:15 PM
To: Ken Merrill
Cc: Mckelvey, Laura; Khatibi, Mehrdad; Christopher J Lee; natalene.cummings@fcpotawatomi-nsn.gov
Subject: RE: Kalispel Class 1 Redesignation Public Notice

Hi Ken,

Thanks for letting us know.

And as always, feel free to contact me if any questions arise as you move through the procedural steps of the reclassification process.

Dave

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Wednesday, March 08, 2017 12:06 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Mckelvey, Laura <Mckelvey.Laura@epa.gov>; Khatibi, Mehrdad <khatibi.mehrdad@epa.gov>; Christopher J Lee <Christopher.Lee@nau.edu>; natalene.cummings@fcpotawatomi-nsn.gov
Subject: Kalispel Class 1 Redesignation Public Notice

Now out of the bag. Thanks for the training and guidance. --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

To: Ken Merrill[kmerrill@kalispeltribe.com]; Bray, Dave[Bray.Dave@epa.gov]
Cc: Mckelvey, Laura[Mckelvey.Laura@epa.gov]; Khatibi, Mehrdad[khatibi.mehrdad@epa.gov]; natalene.cummings@fcpotawatomi-nsn.gov[natalene.cummings@fcpotawatomi-nsn.gov]
From: Christopher J Lee
Sent: Wed 3/8/2017 9:31:03 PM
Subject: Re: Kalispel Class 1 Redesignation Public Notice

This is great news, Ken. Thank you for sharing and if there is anything the TAMS Center can assist with, please feel free to contact us.

Chris

*Christopher Lee, TAMS Co-Director
Tribal Air Monitoring Support (TAMS) Center
4220 S. Maryland Parkway, Bldg C
Las Vegas, NV 89119
702-784-8278 phone, 702-784-8201 fax
Email: christopher.lee@nau.edu
TAMS website: <http://www7.nau.edu/itep/main/tams/>*

From: Ken Merrill <kmerrill@kalispeltribe.com>
Sent: Wednesday, March 8, 2017 12:05 PM
To: Bray, Dave
Cc: Mckelvey, Laura; Khatibi, Mehrdad; Christopher J Lee; natalene.cummings@fcpotawatomi-nsn.gov
Subject: Kalispel Class 1 Redesignation Public Notice

Now out of the bag. Thanks for the training and guidance. --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



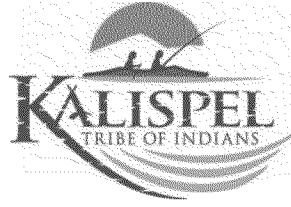
To: Bray, Dave[Bray.Dave@epa.gov]
Cc: Mckelvey, Laura[Mckelvey.Laura@epa.gov]; Khatibi, Mehrdad[khatibi.mehrdad@epa.gov]; Christopher J Lee[Christopher.Lee@nau.edu]; natalene.cummings@fcpotawatomi-nsn.gov[natalene.cummings@fcpotawatomi-nsn.gov]
From: Ken Merrill
Sent: Wed 3/8/2017 8:05:32 PM
Subject: Kalispel Class 1 Redesignation Public Notice
Public notice display ad -Airshed redesignation 3-06-2017.pdf

Now out of the bag. Thanks for the training and guidance. --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)





The Kalispel Tribe (Tribe) is proposing to redesignate the lands within the exterior boundaries of the Kalispel Indian Reservation as a Class I area under the Clean Air Act's Prevention of Significant Deterioration program. The Tribe has prepared a Technical Report that discusses the reasons for the proposed redesignation, including a description and analysis of the health, environmental, economic, social and energy effects of the proposed redesignation. Hard copies of the Technical Report are available for review at Kalispel Tribal Headquarters, 1981 LeClerc Road North, Cusick, WA 99119, and the Newport Public Library, 116 S. Washington Avenue, Newport, WA 99156. The Technical Report may also be viewed or downloaded on the web at <http://kalispeltribe.com/kalispel-natural-resources-department/overview>

The public is invited to review and comment on the proposed redesignation and Technical Report. Written comments must be submitted by April 7, 2017 and may be sent by email to AirQuality@kalispeltribe.com or mailed to:

Kalispel Tribe of Indians
Attn: Air Quality Comments
PO Box 39
Usk, WA 99180-0039

A public hearing will be held on April 10, 2017 at 5:30 PM at the Kalispel Tribe of Indians' Camas Center for Community Wellness, 1821 LeClerc Rd N, Cusick, WA, to provide an opportunity to give oral testimony on the proposed redesignation and Technical Report.

To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Tue 5/30/2017 9:22:20 PM
Subject: RE: Kalispel Class 1

OK. Thanks

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, May 30, 2017 2:19 PM
To: Ken Merrill
Subject: RE: Kalispel Class 1

That works for me.

Call me at 206-553-4253.

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, May 30, 2017 2:15 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: RE: Kalispel Class 1

Hi David- How about 1:30 tomorrow? We can call you – which number?
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, May 30, 2017 1:54 PM
To: Ken Merrill
Subject: RE: Kalispel Class 1

Hi Ken,

Just getting back from a week's vacation and am working from home today.

I'll be in the office tomorrow and Thursday and we can do a call either day. Mehrdad is out this week and he's going to be the project manager for our approval of your Class I redesignation request but I can still give you an update of where things stand right now and an overview of our current schedule.

BTW, we heard from a consultant who's working on a PSD project which he says is located about 20 km south of the Reservation. We don't know if that is the smelter project or some other but it clearly isn't located in Usk.

Just let me know when you'd like to have a call.

Dave

David C. Bray

Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [<mailto:kmerrill@kalispeltribe.com>]

Sent: Tuesday, May 30, 2017 1:39 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Subject: Kalispel Class 1

Hi David,
I left you a voice mail, but we were hoping to arrange a call with you at your earliest convenience about our Class 1 submittal.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Tue 5/30/2017 9:14:57 PM
Subject: RE: Kalispel Class 1

Hi David- How about 1:30 tomorrow? We can call you – which number?
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6

(cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, May 30, 2017 1:54 PM
To: Ken Merrill
Subject: RE: Kalispel Class 1

Hi Ken,

Just getting back from a week's vacation and am working from home today.

I'll be in the office tomorrow and Thursday and we can do a call either day. Mehrdad is out this week and he's going to be the project manager for our approval of your Class I redesignation request but I can still give you an update of where things stand right now and an overview of our current schedule.

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Just let me know when you'd like to have a call.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, May 30, 2017 1:39 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Kalispel Class 1

Hi David,
I left you a voice mail, but we were hoping to arrange a call with you at your earliest convenience about our Class 1 submittal.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources

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PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Wed 5/3/2017 12:11:17 AM
Subject: RE: Class I proposal process

Yes. I will rearrange my schedule to make it work. Please call me around 9 when you are ready.
Thanks --Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)

Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Tuesday, May 02, 2017 5:05 PM
To: Ken Merrill
Subject: RE: Class I proposal process

Hi Ken,

I'm booked up with meetings with external partners from 10:00 am to 5:00 pm tomorrow. Could you do something in the morning, say at 9:00 am?

If not, I have a lot of openings on Thursday.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@kalispeltribe.com]
Sent: Tuesday, May 02, 2017 4:12 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Class I proposal process

Hi David,
We have some questions and would like to arrange a call with you tomorrow afternoon if possible.
Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6 (cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Tue 5/2/2017 11:11:35 PM
Subject: Class I proposal process

Hi David,

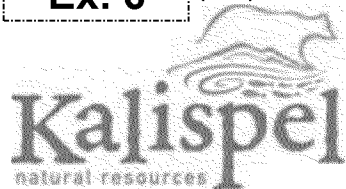
We have some questions and would like to arrange a call with you tomorrow afternoon if possible.

Thanks --Ken

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

(cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Newman, Alan (ECY)
Sent: Mon 5/1/2017 7:36:26 PM
Subject: RE: Kalispel Reservation Class I Redesignation

Dave,
I haven't heard anything about a get together with the Tribe or others either.

There might have been an increment issue with a Class I area before 1990, but I can't think which plant it might have been.

In my experience if we have required going beyond BACT on a source or setting a limit that is tighter than BACT in other jurisdictions, we did it for visibility protection reasons, not increment.

It would take some sleuthing to go back before 1990. Considering the modeling tools we had available then and earlier, it is likely that we wouldn't have seen any increment analyses for a Class I area beyond the old ITT Rayonier pulp mill in Port Angeles.

I just don't think we have any PSD type/sized sources close enough to a Class I area for Class I increment to be an issue.

Alan Newman

From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, May 01, 2017 11:43 AM
To: Newman, Alan (ECY) <anew461@ECY.WA.GOV>
Subject: RE: Kalispel Reservation Class I Redesignation

Hi Al,

I haven't heard anything more from the Tribe about a public meeting and we've not received a submittal from the Tribe for a redesignation.

I'd been thinking about what I'd say if there was a public meeting and had a question for you.

Do you know if any PSD permit in Washington ever had something better than BACT required as a result of needing to comply with a Class I increment?

Given the number of Class I areas in Washington, I was wondering if the increments have ever been an issue. Of course, the Class I areas tend to be a ways away from the urban, industrialized areas, but some large sources (e.g., GHE) are clearly upwind of Class I areas.

Thanks for any info you've got.

Dave

From: Newman, Alan (ECY) [mailto:anew461@ECY.WA.GOV]
Sent: Wednesday, April 19, 2017 1:59 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Subject: Re: Kalispel Reservation Class I Redesignation

I can call you about 4 today. I am in training till 3:30.

Sent from my iPhone
On Apr 19, 2017, at 1:24 PM, Bray, Dave <Bray.Dave@epa.gov> wrote:

Hi Al,

Do you have a few minutes to chat about the Kalispel Tribe's proposal to redesignate their Reservation to PSD Class I?

There's been some misinformation circulating on the internet (yeah, another example of how social media can distribute both good and bad info) and the Tribe is thinking about how to get correct information out there.

One thing they're thinking about is a public meeting that would include presentations by both EPA and Ecology on how increments are implemented and enforced. For example, one thing that is being said is that a Class I designation would prevent people in Pend Oreille County from using their woodstoves or doing any open burning.

Let me know when a good time to chat would be.

Thanks

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Sat 10/29/2016 2:43:31 AM
Subject: RE: Kalispel Screening analysis for Smelter Emissions

Hi Dave,
Thanks for the good news update. Elk season just started so Deane and Zach will be gone r Ex. 6 and I am going to EPA tribal mine training in Phoenix. Hopefully we can have a discussion with all during the week of November 7th.
Thanks again --Ken

Ken Merrill
Kalispel Natural Resources
509-447-7276

-----Original Message-----

From: Bray, Dave [Bray.Dave@epa.gov]
Received: Friday, 28 Oct 2016, 6:30PM
To: Ken Merrill [kmerrill@knrd.org]
CC: Wilson, Wenona [Wilson.Wenona@epa.gov]
Subject: RE: Kalispel Screening analysis for Smelter Emissions

Hi Ken,

Sorry I haven't gotten back to you sooner.

Things are progressing here.

Our modeler has done a detailed review of the modeling for the Mississippi smelter and we're close to being able to share his thoughts as to how the impacts of that smelter might compare to those of the proposed smelter there at Usk.

Our Air Managers are also meeting next week to discuss how much support we can provide to you on both the smelter impact assessment as well as the potential PSD reclassification.

And we also may have located a source of funds that could be made available to you for the purpose of helping the Tribe review the Ecology PSD permit when that process gets underway. We'll know more about that shortly.

I'll check with our modeler next week on his availability and then set up a conference call with you all.

Dave

David C. Bray
Associate Director for Air
Office of Air and Waste
EPA Region 10
Seattle, WA
(206) 553-4253

From: Ken Merrill [mailto:kmerrill@knrd.org]
Sent: Thursday, October 27, 2016 2:23 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>
Subject: Kalispel Screening analysis for Smelter Emissions

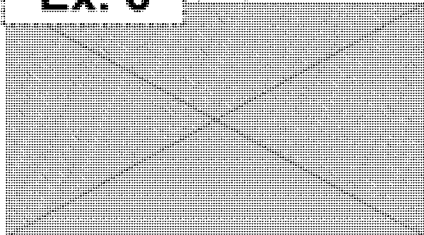
Hi Dave,
I was wondering if you and your staff have made any determination about providing the Tribe some preliminary impact analysis on the proposed smelter emissions. We are uncomfortable with our lack of ability to understand what the potential impacts of the proposal might be on the Tribe's air quality.
Thanks --Ken

ED_002139_00005108-00001

Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
(509) 447-7276 (office)

Ex. 6

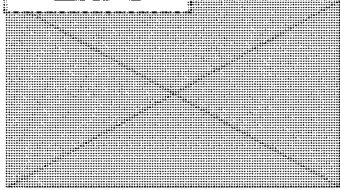
(cell)



To: Bray, Dave[Bray.Dave@epa.gov]
From: Ken Merrill
Sent: Mon 10/10/2016 4:51:48 PM
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report
removed.txt

We really appreciate it. Better if we can call you?. At what number?--Ken

Ken Merrill
Water Resources Program
(509) 447-7276 (office)
Ex. 6 (cell)



From: Bray, Dave [mailto:Bray.Dave@epa.gov]
Sent: Monday, October 10, 2016 9:30 AM
To: Ken Merrill; Ken Merrill
Cc: Wilson, Wenona; Zach Welcker; Deane Osterman
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Ken,

I'll call you at 10:30.

Dave

From: Ken Merrill [mailto:kmerrill@knrd.org]
Sent: Thursday, October 06, 2016 8:46 PM
To: kmerrill@knrd.org; Bray, Dave <Bray.Dave@epa.gov>
Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Dave,
Forgot about Monday because the Tribe's not really into celebrating Colombus Day:) We do very much appreciate your offer though, and how about a short call at 10:30 AM, Monday? We will wait for your call on my number below.
Thank you --Ken

Ken Merrill
Kalispel Natural Resources
509-447-7276

-----Original Message-----

From: Bray, Dave [Bray.Dave@epa.gov]
Received: Thursday, 06 Oct 2016, 5:49PM
To: Ken Merrill [kmerrill@knrd.org]
CC: Wilson, Wenona [Wilson.Wenona@epa.gov]; Zach Welcker [ZWelcker@kalispeltribe.com]; Deane Osterman [dosterman@kalispeltribe.com]
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Ken,

Monday is a federal holiday and I'm tied up all day on Tuesday.

If we can make it a short call, I'm willing to do it sometime on Monday, just not too early in the morning

Ex. 6

ED_002139_00005118-00001

Let me know some times that would work for you and I'll get back to you.

Dave

From: Ken Merrill [<mailto:kmerrill@knrd.org>]

Sent: Thursday, October 06, 2016 4:12 PM

To: Bray, Dave <Bray.Dave@epa.gov>

Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>

Subject: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

Hi Dave,

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Thanks again for your help --Ken

Kenneth R. Merrill

Manager - Water Resources Program

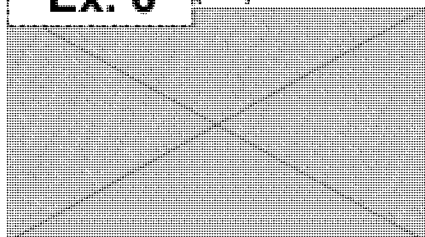
Kalispel Tribe Natural Resources

PO Box 39, Usk, WA, 99180

(509) 447-7276 (office)

Ex. 6

(cell)



***** ATTACHMENT REMOVED *****

This message contained an attachment which the administrator has caused to be removed.

***** ATTACHMENT REMOVED *****

Attachment name: [image001.jpg]
Attachment type: [image/jpeg]

To: kmerrill@knrd.org[kmerrill@knrd.org]; Bray, Dave[Bray.Dave@epa.gov]
Cc: Wilson, Wenona[Wilson.Wenona@epa.gov]; Zach Welcker[ZWelcker@kalispeltribe.com]; Deane Osterman[dosterman@kalispeltribe.com]
From: Ken Merrill
Sent: Fri 10/7/2016 3:45:50 AM
Subject: RE: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report removed.txt

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Ken Merrill
Kalispel Natural Resources
509-447-7276

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From: Bray, Dave [Bray.Dave@epa.gov]
Received: Thursday, 06 Oct 2016, 5:49PM
To: Ken Merrill [kmerrill@knrd.org]
CC: Wilson, Wenona [Wilson.Wenona@epa.gov]; Zach Welcker [ZWelcker@kalispeltribe.com]; Deane Osterman [dosterman@kalispeltribe.com]
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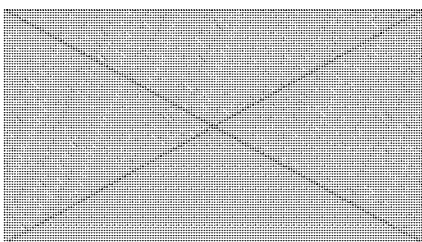
Dave

From: Ken Merrill [mailto:kmerrill@knrd.org]
Sent: Thursday, October 06, 2016 4:12 PM
To: Bray, Dave <Bray.Dave@epa.gov>
Cc: Wilson, Wenona <Wilson.Wenona@epa.gov>; Zach Welcker <ZWelcker@kalispeltribe.com>; Deane Osterman <dosterman@kalispeltribe.com>
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Kenneth R. Merrill
Manager - Water Resources Program
Kalispel Tribe Natural Resources
PO Box 39, Usk, WA, 99180
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Attachment type: [image/jpeg]

To: Bray, Dave[Bray.Dave@epa.gov]
Cc: Wilson, Wenona[Wilson.Wenona@epa.gov]; Zach Welcker[ZWelcker@kalispeltribe.com]; Deane Osterman[dosterman@kalispeltribe.com]
From: Ken Merrill
Sent: Thur 10/6/2016 11:12:28 PM
Subject: Call to discuss clarification on scope of analyses in the Kalispel redesignation technical report

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Kenneth R. Merrill
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